



DOCKET NO: 216745US0

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF

BARDO SCHMITT, ET AL.

: EXAMINER: PAUL ZUCKER

SERIAL NO: 10/068,849

: ALLOWED DATE: MARCH 15, 2004

FILED: FEBRUARY 11, 2002

: GROUP ART UNIT: 1621

FOR: PROCESS FOR MANUFACTURING
UNSATURATED CARBOXYLIC ACID
ANHYDRIDES

BEST AVAILABLE COPY

RECEIVED

MAY 21 2004

PETITION UNDER 37 C.F.R. 1.181

OFFICE OF PETITIONS

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

RECEIVED

MAY 25 2004

SIR:

TECH CENTER 1600/2900

Applicants hereby petition the Commissioner pursuant to 37 C.F.R. 1.181 to invoke supervisory authority to make the application available to the Examiner for formal acknowledgement of three crossed-out documents on the information disclosure statement filed June 13, 2002.

These documents were crossed-out and "no translation" was indicated next to each citation. 37 C.F.R. 1.98(C)(i) indicates that a "concise explanation of the relevance" of documents not in the English language be provided. The Applicants have provided a concise explanation of each of these documents in the specification, and the pertinent portions of the specification are indicated in the Statement of Relevancy that was attached to the Information Disclosure Statement.

Accordingly, the Applicants respectfully request that the Examiner provide written acknowledgement that each of these three documents has been considered. For the

1460-130

Adjustment date: 10/12/2004 SDIRETAA
08/11/2004 FMERCER 00000002 150030 10068849
01 FC:1460 130.00 CR

08/11/2004 FMERCER 00000002 150030
01 FC:1460 130.00 DA

BEST AVAILABLE COPY

September 10, 2004

OBLON
SPIVAK
McCLELLAND
MAIER
&
NEUSTADT
P.C.

ATTORNEYS AT LAW

KATHLEEN A. MORSBERGER
CONTROLLER
(703) 412-6494
KMORSBERGER@OBLON.COM

UNITED STATES PATENT AND TRADEMARK OFFICE
Box 16
Washington, DC 20231

Attn: Frank Lebron
Refund Department

Re: Deposit Account #150030

Dear Mr. Lebron:

Enclosed is a copy of a portion of our deposit account statement of August 2004. Please review the highlighted charge on Serial Number 10/068,849 in the amount of \$130.00 on fee code #1460.

An Information Disclosure Statement (IDS) was filed on June 13, 2002. Several documents were crossed-out by the Examiner with "no translation" written next to them. A petition was filed on May 5, 2004, asking that the Examiner look at these documents. The petition also argued that no petition fee is due because a Statement of Relevancy was filed with these documents in place of English translations. The Examiner should consider the references without English translations if a Statement of Relevancy is filed. The petition fee charged to our deposit account was in error and should be refunded.

Please investigate this charge and kindly refund \$130.00 to Deposit Account #150030. Copies of the appropriate paperwork are attached. If you have questions, please do not hesitate to contact me. My phone number is 703-412-6296. Thank you for your assistance.

Sincerely,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Debra J. Noel

Debra J. Noel
Accounting Department

Enclosures

Deposit Account Statement



United States
Patent and
Trademark Office

BEST AVAILABLE COPY

U.S.P.T.O.
MAY 1976
SEARCHED
INDEXED
SERIALIZED
FILED

Deposit Account Statement

Requested Statement Month:

Deposit Account Number:

Name:

Attention:

Address:

City:

State:

Zip:

NORMAN F. OBLON

1940 DUKE STREET
ALEXANDRIA
VA
22314

DATE	SEQ	POSTING REF	ATTORNEY DOCKET NBR	FEES CODE	AMT	BAL
08/02	1	09635429	195617US0X	1251	\$110.00	\$26,374.71
08/02	3	10209522	244465US	8013	-\$25.00	\$26,399.71
08/02	4	10209522	244465US	8013	-\$25.00	\$26,424.71
08/02	5	10259501	228670US3	1251	\$110.00	\$26,314.71
08/02	35	10856960	253810US2	1202	\$216.00	\$26,098.71
08/02	51	10862574	254278US23	1202	\$126.00	\$25,972.71
08/02	66	10112769	221548US	1806	-\$180.00	\$26,152.71
08/03	1	10489868	250391US0XPCT	1614	\$430.00	\$25,722.71
08/03	1	10189020	223724US2S	1251	\$110.00	\$25,612.71
08/03	3	10143926	223124US2	1251	\$110.00	\$25,502.71
08/03	4	10797078	250122US0	1053	-\$130.00	\$25,632.71
08/03	7	10047698	217784US2	1806	-\$180.00	\$25,812.71
08/03	8	10347439	228461US0	1806	-\$180.00	\$25,992.71
08/03	9	10226346	227347US0DIV	1252	-\$420.00	\$26,412.71
08/03	10	10251855	228571US0	1806	-\$180.00	\$26,592.71
08/03	11	10175799	224460US0	1806	-\$180.00	\$26,772.71
08/03	18	10777225	248001US0X CONT	1051	\$130.00	\$26,642.71
08/03	39	E-REPLENISHMENT		9203	-\$100.00	\$26,742.71
08/03	40	E-REPLENISHMENT		9203	-\$100.00	\$26,842.71
08/03	41	E-REPLENISHMENT		9203	-\$100.00	\$26,942.71
08/03	43	E-REPLENISHMENT		9203	-\$100.00	\$27,042.71
08/03	44	E-REPLENISHMENT		9203	-\$100.00	\$27,142.71
08/03	45	E-REPLENISHMENT		9203	-\$100.00	\$27,242.71
08/03	336	10748150	248455US87/JEM	8007	\$20.00	\$27,222.71
08/03	340	10748146	248437US87/JEM	8007	\$20.00	\$27,202.71
08/03	360	60487943	240574US0/JEM	8007	\$20.00	\$27,182.71
08/04	1	09623596	1088911US0PCT	1806	\$180.00	\$27,002.71
08/04	1	10172910	224460US3	1201	\$86.00	\$26,916.71

08/04 2	10172910	22401500US0	1202	\$234.00	\$26,682.71
08/04 3	0131940184	2156767US0P/PF	8014	\$25.00	\$26,657.71
08/04 3	10244075	226767US0CON	1253	\$950.00	\$25,707.71
08/04 3	10176609	22401500US0HC	1251	-\$110.00	\$25,817.71
08/04 4	09852210	208267083	1806	-\$180.00	\$25,997.71
08/04 4	10244075	226767US0CON	1202	\$36.00	\$25,961.71
08/04 5	10373050	234398US2	1806	-\$180.00	\$26,141.71
08/04 6	10158069	223527US0	1806	-\$180.00	\$26,321.71
08/04 7	10189014	223273US-20	2202	-\$243.00	\$26,564.71
08/04 20	10023702	217729153	1806	-\$180.00	\$26,744.71
08/04 34	10861446	254130US0DIV	1202	\$18.00	\$26,726.71
08/04 39	60461403	236401USPROV/JEM	8007	\$20.00	\$26,706.71
08/04 59	09786123	P 277025	1504	\$300.00	\$26,406.71
08/04 213	10852261	253527US0DIV	1053	\$130.00	\$26,276.71
08/05 1	09892545	210574	8001	\$30.00	\$26,246.71
08/05 2	10684434	242169153CON1	1202	\$108.00	\$26,138.71
08/05 3	10616921	240292US0CONT	1201	\$86.00	\$26,052.71
08/05 4	10366519	233027US0DIV	1806	\$180.00	\$25,872.71
08/05 6	E-REPLENISHMENT		9203	-\$100.00	\$25,972.71
08/05 58	10454493	238099US0	1252	\$420.00	\$25,552.71
08/06 4	09820749	205429US0	1251	-\$110.00	\$25,682.71
08/06 5	10488295	2496001541XPCT	1617	\$130.00	\$25,532.71
08/06 24	09946369	213628US0LN	1253	-\$930.00	\$26,462.71
08/06 30	10772238	248627US990CONT	1051	\$130.00	\$26,332.71
08/06 49	E-REPLENISHMENT		9203	-\$100.00	\$26,432.71
08/09 4	10296939	230600US0PCT	1201	\$86.00	\$26,346.71
08/09 15	10497852	213553US2SPCT	1610	\$40.00	\$26,306.71
08/09 16	60530617	247015US0PROV	1052	\$50.00	\$26,256.71
08/09 40	10749401	247342US8	2203	\$145.00	\$26,111.71
08/09 141	60492736	241300US0P/JEM	8007	\$20.00	\$26,091.71
08/10 1	10387506	236427US2	1806	\$180.00	\$25,911.71
08/10 249	10804718	254120US26/JEM	8007	\$20.00	\$25,891.71
08/10 311	6666815.	213027US5X/JEM	8013	\$25.00	\$25,866.71
					\$25,736.71
08/11 6	09330068	055744US0-2	1201	\$256.00	\$25,478.71
08/11 6	10796180	250067US28-DIV	1806	\$180.00	\$25,298.71
08/11 11	10784204	249600US2	1051	\$130.00	\$25,168.71
08/12 3	10492839	251450US0PCT	1616	\$290.00	\$24,878.71
08/12 4	10492839	251450US0PCT	1614	\$430.00	\$24,448.71
08/12 5	10492839	251450US0PCT	1615	\$216.00	\$24,232.71
08/12 5	10092631	220400US2	1251	\$110.00	\$24,122.71
08/12 76	6346646	0041-0000-0-0PCT/JEM	8013	\$25.00	\$24,097.71
08/12 331	09459638	055744US9-2	1504	\$300.00	\$23,797.71
08/13 2	10337774	232655US0/SHB	1202	\$54.00	\$23,743.71
08/13 67	10916596	257200US8	1201	\$86.00	\$23,657.71
08/13 74	10718427	249600US0	1252	\$420.00	\$23,237.71
08/13 205	60492735	241300US90P/JEM	8007	\$40.00	\$23,197.71
08/16 52	09784444	230070US50XPC	1504	\$300.00	\$22,897.71

BEST AVAILABLE COPY

Dept: CHEMICAL
By: NFO:JKP:sj

OSMM&N File No. 216745US0

In the matter of the Application of: Harro SCHMITT, et al.

For: PROCESS FOR MANUFACTURING UNSATURATED CARBOXYLIC
ACID ANHYDRIDES

The following has been received in the U.S. Patent Office on the date stamped hereon:

<input type="checkbox"/>	Patent Specification	Claims/Drawings	Sheets
	and	Pages Application Data Sheet	pages
<input type="checkbox"/>	Combined Declaration, Petition & Power of Attorney		
<input type="checkbox"/>	List of Inventor Names and Addresses		
<input type="checkbox"/>	Utility Patent Application Transmittal		
<input type="checkbox"/>	Notice of Priority		
<input type="checkbox"/>	Check for		
<input type="checkbox"/>	Fee Transmittal Form		
<input type="checkbox"/>	Assignment PTO 1595 pages		
<input type="checkbox"/>	Letter to Official Draftsman		
<input type="checkbox"/>	Letter Requesting Approval of Drawing Changes		
<input type="checkbox"/>	Drawings	sheets	Formal
<input type="checkbox"/>	Letter		
<input type="checkbox"/>	Assignment		

CPA
 Priority Doc
 Dep. Acct. Order Form

■ PTO-1449

Cited Pending Applications
 Election Response



Due Date: June 13, 2002

Class References (9)
 Search Report
 Statement of Relevancy
 IDS/Statement/List of Related Cases
 Restriction Response
 Rule 132 Declaration
 Request for Extension of Time
 Notice of Appeal
 Brief
 Issue Fee Transmittal
 White Advance Serial Number Card

DOCKET NO.: 216745US0

BEST AVAILABLE COPY

~~IN THE UNITED STATES PATENT AND TRADEMARK OFFICE~~

IN RE APPLICATION OF:

Bardo SCHMITT, et al.
[REDACTED]

FILED: February 11, 2002

FOR: PROCESS FOR MANUFACTURING UNSATURATED CARBOXYLIC ACID
ANHYDRIDES
[REDACTED]

The references cited on the attached Form PTO-1449:

Reference AO (SU 228016):

This reference is discussed on page 2, line 3 of the specification.

Reference AP (DE 35 10 035):

This reference is discussed on page 1, line 11 and page 2, line 9 of the specification.

Reference AQ (DE 35 44 745):

This reference is discussed on page 2, line 5 of the specification.

Reference AR (FR 2 592 040):

This reference is discussed on page 1, line 19 and page 2, line 10 of the specification.

Reference AS (DE 36 44 222):

This reference is discussed on page 2, line 12 and page 4, line 9 of the specification.

BEST AVAILABLE COPY

RECEIVED 1 OF

Form PTO 1449 (Modified)	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY DOCKET NO. 11674050	SERIAL NO. 10/068,849
LIST OF REFERENCES CITED BY APPLICANT		Bardo SCHMITT, et al.		
JUN 13 2002		JUN 21 2002		
U.S. PATENT				
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS
PAZ	AA 4 781 868	11/1/88	Langerbein (corresponds to DE 35 44 765)	—
PPC	AB 4 874 558	10/17/89	Fife et al.	—
AC				
AD				
AE				
AF				
AG				
AH				
AI				
AJ				
AK				
AL				
AM				
AN				
FOREIGN PATENT DOCUMENTS				
DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION YES	NO
AQ DE 35 44 765	07/06/87	FRANCE	✓	
AR FR 2 592 040	02/27/89	FRANCE	✓	
AT WO 85/32940	12/7/85	WORLD		
AU				
AV				
OTHER REFERENCES (including Author, Title, Date, Permanent Pages, etc.)				
AW	D. PLUSQUELLEC, et al., "A Novel Method of Preparing Acid and Carbonyl Acid Anhydrides using Phase Transfer Reactions". TETRAHEDRON, vol. 44, No. 5, pp 2471-2476, 1988			
AX				
AY				
AZ				
Examiner	<input type="checkbox"/> Additional References sheet(s) attached <input checked="" type="checkbox"/> Date Considered 5.21.03			
*Examiner: Initial if reference is considered. Initial in the margin if reference is considered for conformance and not considered. Include only those references which are considered.				

BEST AVAILABLE COPY

OSMM&N File No. 216745USD

Dept.: Chemical
By: NFO/TMC/m

In the matter of the Application of: Bertold SCHMITT, et al.
For: PROCESS FOR MANUFACTURING UNSATURATED CARBOXYLIC ACID
ANHYDRIDES

Due Date: n/a

The following has been received in the U.S. Patent Office on the date stamped hereon:

- Dep. Acct. Order Form
- PTO Cover Letter

■ Copy of Date-stamped Filing Receipt, Information Disclosure Statement, PTO 1449
and Statement of Relevancy filed June 13, 2002



BEST AVAILABLE COPY

DOCKET NO: 216745US0

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF

BARDO SCHMITT, ET AL.

SERIAL NO: 10/068,849

FILED: FEBRUARY 11, 2002

EXAMINER: PAUL ZUCKER

ALLOWED DATE: MARCH 15, 2004

GROUP ART UNIT: 1621

FOR: PROCESS FOR MANUFACTURING
UNSATURATED CARBOXYLIC ACID
ANHYDRIDES

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Applicants hereby petition the Commissioner pursuant to 37 C.F.R. 1.181 to invoke supervisory authority to make the application available to the Examiner for formal acknowledgement of three crossed-out documents on the information disclosure statement filed June 13, 2002.

city

demonstrated

卷之三

[REDACTED] the pertinent portions of the specification are indicated in the Statement of Relevancy that was attached to the Information Disclosure Statement.

Accordingly, the Applicants respectfully request that the Examiner provide written acknowledgement that each of these three documents has been considered. For the

BEST AVAILABLE COPY

Application No. 10/068,849
Petition Under 37 C.F.R. 1.13

convenience of the Examiner, in view of the previous issued Information Disclosure

Statement, Statement of Relevancy, and the stamped filing receipt is attached to this

petition.

However, in the event any
variance exists between the required petition fees and this amount, please charge or credit the
difference to our Deposit Account No. 15-0030.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Norman F. Oblon

Thomas M. Cunningham
Attorney of Record
Registration No. 45,394

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413-2220
(OSMMN 08/03)